

REMARKS

Claims 1, 5, 8 and 11 are amended; and claims 1, 3-5 and 8-21 are pending in the application.

Claim 1 stands rejected as being anticipated by Reinberg (US 2002/0086479). Applicant has amended claim 1 to clarify a distinction between the recited subject matter of claim 1 and the teachings of Reinberg. Amended claim 1 recites a method in which conductive capacitor electrode material is formed within openings in a first material mass (the first material comprising silicon and oxygen); a retaining structure is provided in physical contact with at least some of the conductive capacitor electrode material (the retaining structure comprising silicon and nitrogen); at least some of the first material mass is removed while the retaining structure physically contacts the capacitor electrode material; after the removal of at least some of the first material mass, the conductive capacitor electrode material is incorporated into a plurality of capacitor devices; and wherein the first material mass is over the retaining structure.

The Examiner cites Reinberg for showing capacitor electrode material (28) within openings in a first material (30 or 42), and for showing the retaining structure (62) contacting the capacitor electrode material during removal of at least some of the first material. The Examiner contends that Reinberg also shows the retaining structure (62) being under first material in that Reinberg shows a material 70 having the same composition as the first material and being formed over the structure 62.

Applicant's amendment to claim 1 clarifies that the recited first material is part of a first material mass that is over the retaining structure, and accordingly it is at least a portion

of the recited first material mass that is removed while the retaining structure physically contacts at least some of the capacitor electrode material. Reinberg does not disclose or suggest the recitation of amended claim 1 of a first material mass over a retaining structure, and being removed while the retaining structure contacts capacitor electrode material; in combination with the recitation that the conductive capacitor electrode material is incorporated into a plurality of capacitor devices after removal of the first material mass. Amended claim 1 is therefore believed allowable over the cited reference.

Claims 3-5 and 8-11 depend from claim 1, and are therefore allowable for at least the reasons discussed above regarding claim 1, as well as for their own recited features which are neither shown or suggested by the cited reference.

Referring next to claim 12, such stands rejected as being unpatentable over Reinberg in view of Dennison (US 5,340,763). Applicant respectfully requests reconsideration of such rejection.

Claim 12 recites a method of forming a plurality of capacitor devices. Conductive capacitor electrode material is formed within openings in a first material (with the first material comprising silicon and oxygen); a retaining structure is provided in physical contact with at least some of the capacitor electrode material; at least some of the first material is removed while the retaining structure physically contacts the capacitor electrode material; and after the removal of least some of the first material, the capacitor electrode material is incorporated into a plurality of capacitor devices. The claim further recites that the first material specifically comprises borophosphosilicate glass; a wet etch is utilized to remove the first material; and the retaining structure comprises silicon nitride and a

material having increased selectivity to borophosphosilicate glass than silicon nitride during the wet etch. An exemplary construction of a retaining structure comprising silicon nitride and a material having increased selectivity to borophosphosilicate glass than silicon nitride during a wet etch is shown in figure 25 of the originally-filed application (the retaining structure is shown as 30, and is shown to comprise two different materials 502 and 504), and described in paragraphs 0094-0096 of the application.

Applicant respectfully submits that there is no teaching within either of the cited references, or within the combination of the cited references, for the claim 12 recited retaining structure comprising silicon nitride and a material having increased selectivity to borophosphosilicate glass than silicon nitride during a wet etch.

The Examiner notes that the originally-filed application and some of the claims depending from claim 12 indicate that an exemplary material having increased selectivity to borophosphosilicate glass than silicon nitride during a wet etch is silicon, and thus cites Dennison for showing that it was known in the art to utilize silicon nitride and polysilicon in capacitor constructions. Applicant respectfully submits, however, that the polysilicon of Dennison is not incorporated into a retaining structure with the silicon nitride. Accordingly, there is no teaching within Dennison for the claim 12 recited retaining structure comprising silicon nitride and a material having increased selectivity to borophosphosilicate glass than silicon nitride. There is also no teaching within Reinberg for such recited subject matter of claim 12; and accordingly there is no teaching within the combination of Reinberg and Dennison for such limitation of claim 12.

As the cited references do not teach all of the recited aspects of claim 12, the claim is allowable over the cited references. Applicant therefore respectfully requests formal allowance of claim 12 in the Examiner's next action.

Claims 13-21 depend from claim 12, and are therefore allowable for least of the reasons discussed above regarding claim 12, as well as for their own recited features which are neither shown or suggested by the cited references.

Pending claims 1, 3-5, and 8-21 are allowable for the reasons discussed above, and applicant therefore respectfully requests that the Examiner's next Action be a Notice of Allowance formally allowing all of the pending claims.

Respectfully submitted,

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